IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 303/2007

GAJANAND SHARMA Vs. STATE OF RAJASTHAN & ORS.

DATE: 25.07.2007

HON'BLE MR. JUSTICE K.S. RATHORE

Mr. Anoop Dhand for the petitioner.
Mr. B.S. Chhaba, Addl. GA for the State.

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This writ petition is preferred by the petitioner Gajanand Sharma, Ex-Sarpanch, Gram Panchayat Bai, District Sikar praying that the Govt. Girls Secondary School, Bai should be shifted to the newly constructed building. It is also submitted that earlier shifting order was passed but the same has been stayed vide impugned order dated 13.09.2006 and on account of political pressure shifting was not carried out.

On the contrary, learned Addl. GA appearing for the respondent State submits that the petitioner has no locus to file the present writ petition in individual capacity as the present writ petition is not filed in the form of Public Interest Litigation, therefore, no relief can be granted to the petitioner.

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It is not disputed that the new building of the Government Girls Secondary School has been constructed with the help of donor and the fund is also given by the Member of Parliament, but it is disputed whether the old building is sufficient to run the school or not.

Without entering into the controversy, I deem it proper to direct the District Education Officer, Secondary-II, Sikar and the Executive Engineer, PWD to enquire into the matter with regard to feasibility of the old building and the facilities available in the new building and if they found that shifting of the school from old building to new building will give more facilities to the girls, then in such eventuality the Govt. Girls Secondary School be shifted to the newly constructed building, if the new building is otherwise satisfy all the requisite requirements as per the standard fixed by the respondents. The aforesaid exercise shall be undertaken by the District Education Officer, Sikar and the Executive Engineer within a period of 15 days from the date of receipt of certified copy of this order and they shall submit report to the Director, Secondary Education, Rajasthan, Bikaner and the Director, Secondary Education after receipt of such

report, shall pass appropriate order regarding shifting of the Govt. Girls Secondary School, Bai.

The writ petition stands disposed of in the terms as indicated herein above.

(K.S. RATHORE),J.

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